IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 2490 OF 2006

in

APPEAL (LODGING) NO. 614 OF 2006

IN

ARBITRATION PETITION NO. 168 OF 2006

Messrs Alfa Textiles ... Appellant
(Orig. Petitioner)

Versus

Indian Molasses Co.Ltd. ... Respondents
(Orig.Respondents)

Mr.T.N.Tripathi for the appellant.

None for Respondents.

CORAM: D.K.DESHMUKH &
J.H.BHATIA,JJ.

DATE : 23rd July, 2007.

P.C.

1. We have heard learned Counsel appearing for the appellant.

2. Assuming that sufficient cause has been shown

for condonation of delay, considering the order passed by the learned Single Judge, we see no reason to interefer with the impugned order. The only point argued before this Court is that the Arbitrator could not have deducted costs from the amount awarded. Perusal of the order of the learned Single Judge shows that aspect of the costs awarded by the arbitrator has been considered by the learned Single Judge. There is no reason to interfere with the same.

The Motion and the Appeal are disposed of.

--

(D.K.DESHMUKH,J.)

(J.H.BHATIA,J.)